

APPROVED: Meeting No. 43-82

ATTEST: *Helen M. Heneghan*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 40-82

November 1, 1982

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, on Monday, November 1, 1982, at 8:00 p.m.

PRESENT

Mayor John R. Freeland

Councilman Steve Abrams

Councilwoman Viola Hovsepian

Councilman Douglas Duncan

Councilman John Tyner, II

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Clerk Helen Heneghan; City Attorney Paul Glasgow.

Re: City Manager's
Report

Mr. Blick reported the following:

1. On Friday WMATA opened bids on the sale of the B & O Station. Eight bids were submitted. The high bidder was the Adams group, a public relations firm, with a bid of \$272,240.00. The station will be used for professional offices. It will take about three weeks to completely evaluate the bids and make the award. Settlement is expected to occur about February 1.
2. Several weeks ago the City was advised by Pepco that they would interrupt power to City Hall this past weekend in order to perform electrical work at the Metro Station. The City arranged for portable generators and a standby electrician to handle the situation. However, one of the generators failed Sunday morning causing damage to the City's telephone system power supply. The damaged parts were replaced this morning.
3. The City will hold a meeting with Montgomery County on Wednesday afternoon to discuss the disposition of Maryvale School.
4. During the past week the City issued building permits for thirty single family dwellings and a 70,000 square foot shopping center on the site of the old Congressional Oldsmobile properties.
5. The Rockville Community Clinic is offering pre-exposure rabies vaccine for people who come in contact with animals. It is administered in

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three doses over a period of 21 - 28 days and is a cooperative effort on the part of the Montgomery County Health Department and the Rockville Community Clinic.

Mayor Freeland asked that the newspapers pickup that information and publish it.

Councilman Duncan asked for information on the amendments to the Noise Control Ordinance and a report on the murder that occurred this past weekend.

Councilman Tyner reported that the Maryland Municipal League held its annual Legislative Conference in Baltimore this past weekend, and the League's legislative session for the next year in Annapolis was approved. He said it was a successful meeting and the Mayor and Council will be hearing about it and discussing it through the next six months.

Mayor Freeland said that last Friday he and Councilman Duncan and Staff people met with representatives of the New York State Teachers Retirement System. These people plan to put things in their agreement with the Mall developers that will add additional safeguards for the citizens. They were most receptive to the City's suggestion of regular communication in the form of personal contact.

Re: Appointment

Mayor Freeland made the following appointment. It was confirmed by the Council: Friends of the Arts Task Force - Joseph Adams.

Re: Citizens Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council.

1. Howard Silberstein, 2008 Dundee Road. Mr. Silberstein noted the relevance of tonight's meeting is good business and good management, and it is fine when they both agree. It is a luxury for people not to live in subsidized housing and not be told what to do. He would hope that tonight's work session is truly a work session with an open mind and an open heart.

2. Bruce Lackey, 1003 Aster Blvd. Mr. Lackey said he formerly enjoyed travel on Rt. 355. However, the ramp was placed in the middle of the road causing great difficulty in navigation around it; and concern if you travel up the ramp since the low clearance is a threat to radio antennas. He brought to the Council's attention the pillars for the pedestrian overpass that have been placed in the middle of the sidewalk. He also suggested that access to

City Hall should be made simpler by the removal of the block in the middle of South Washington Street.

Mayor Freeland explained the changes that are planned at the entrance to the Mall and the removal of the ramp. He also said that the concrete will be extended in order to facilitate pedestrian traffic on the sidewalk.

3. James Baker, Community Action Board of Montgomery County. Mr. Baker said he has been getting complaints about the management of David Scull and Lincoln Terrace Projects. He would like to schedule a meeting with the Mayor and Council to discuss that problem.

Mayor Freeland said plans can be made after tonight's meeting.

4. Margaret Rice, 326 Lincoln Avenue. Miss Rice said she lives in Turnkey Three housing which is also under Rockville Housing Authority jurisdiction. January 21st she will have lived in the house six years and very little information has come forward in that time and only after numerous requests.

Councilman Tyner said that Miss Rice brings up valid points which can be discussed after the technicalities of the report are explained.

5. Mr. Bhandari, 617 North Stonestreet Avenue. Mr. Bhandari explained to the Council the adverse conditions that exist in his home including a high level of water in the basement, and an occupancy permit was given before it should have been.

Mayor Freeland noted that Mr. Hobbs is familiar with this and Mr. Hobbs will be getting back to Mr. Bhandari as soon as more information is available.

6. Sherry Mitchell, Community Action Board of Montgomery County. Miss Mitchell said that people who live in public housing feel that no one listens and that no action will be taken. She said she looks forward to the meeting of the Mayor and Council with her agency.

Mayor Freeland said that he would look forward to seeing these problems brought before the Mayor and Council since the Mayor and Council have never turned away any tenants who have wanted to talk about their problems.

7. Geraldine Wilson, 909 Stone Street Avenue. Miss Wilson asked Mayor and Council to conduct a full scale investigation into the Rockville Housing Authority and assure people that they will not be evicted if they come forward and testify. People are entitled to fair housing and freedom from

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people walking into their apartment and invading their privacy. She said that she never felt that the Mayor and Council were really interested in housing projects or in Lincoln Park. She urged that Mrs. Riley step down while the full scale investigation is conducted.

Councilman Tyner agreed with some of Mrs. Wilson's comments and assured her that the Mayor and Council are anxious to get a dialogue moving as Mr. Silverstein mentioned earlier.

8. Robert Jacques. Mr. Jacques told the Council that he is concerned with tomorrow's election and the stressing by the candidates of what the Mayor and Council wish to hear. He is concerned that municipalities have become their own single interest group and in that way they can become short-sighted and view municipalities as the be-all and end-all.

There being no other citizen wishing to be heard, the Mayor closed the citizen's forum portion of the meeting.

Re: Briefing on Social
Needs in Rockville

The following presentations were made on the identified areas of concern:

1. Charles Steinbraker, Program Coordinator, Community Services, Montgomery County, who spoke on "Locked-in Youth and its Impact". Mr. Steinbraker explained to the Council that people in Montgomery County can be much poorer in the mist of great affluence. The most important thing to these people is jobs, and unemployment is the chief cause of the delinquency rates.

2. Lorraine Schack, Coordinator of Senior Services, Department of Community Resources, spoke on "Unmet Needs of Seniors". She outlined the outreach program that is attempting to locate seniors whose needs are unmet (15% of seniors need some type of help). She stressed that people should remain in their own homes and remain independent. It is the hope to make people available to provide services to them in their own homes.

3. Tom Forbes, Manager of the Silver Spring Social Services Office, Montgomery County, who spoke on the "Demands of the New Poor". Mr. Forbes said people need housing, daycare, medical care, food and money to live on. The "new poor" are county residents who have attempted to maintain a delicate economic balance and through loss of one income are put into a position of accepting help - an entirely new position. He gave several case histories

and discussed the problem of shock that comes to people who formerly had good incomes when they suffer setback. Economic difficulties at whatever income bracket lead to emotional stress. He said that when the agency started in 1972, 78% of the people they dealt with were on fixed incomes and 22% were unemployed. Today, 49% have a fixed income and 51% are unemployed.

4. Mansfield M. Kaseman, Executive Director of the United Church Center for Community Ministries, spoke on "New Trends and Discoveries in Meeting Needs." Rev. Kaseman said society is divided now into two groups: the poverty stricken and the anxiety ridden. True meaning can be found in trusting one another and working toward a common goal. He proposed a convocation of the Mayor and Council, Staff, Chamber of Commerce, Civic Associations, Clergy, to spend a day or an over night studying the nature of the community. He told the Council there is a need to get on in the City with developing shelters. This would be a shelter for a two to three week time period. He addressed the need for supplemental staff in Community Resources who are stretched so thin. He also suggested it is time the Mayor and Council looked at the concept of affordable housing once more. It was looked at once but neighborhood fears put it down. He said the senior citizens recreation needs have been addressed but now basic needs should get the City's attention, particularly if these needs can be given attention in the seniors own homes.

The Mayor said bringing the communities together as a preliminary to proceeding is an excellent idea. He asked the City Manager to work on the arrangements. The prior seminar on housing was too short and too structured. The next one should have a facilitator mechanism in order to accomplish more. It would seem to him that a substantial part of the City's moral fiber is on the line.

5. Bert Drayton, Director, Department of Community Resources, who spoke on "Available Resources to People in Need." He said his department is now working with businesses to come up with new job opportunities. The Rockville Summer Employment Program has been a big help. The senior's programs are mostly operated by the City because the problems are greater than volunteers can fill.

Councilman Tyner said there is a community commitment of spirit that is extremely important if other things will be made to happen. Mayor Freeland

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suggested the City address these kinds of things they can deal with and not set up pie-in-the-sky ideals. It must all be dealt with on a pragmatic basis. The Mayor and Council thanked all those present this evening who addressed them.

Re: Work Session -
Rockville Housing
Authority and Human
Rights Commission

Present this evening are Phyllis Marcuccio and Betty Bryant of the Rockville Housing Authority and Richard Pyle, Chairman, and the following members of the Human Rights Commission: James Coyle, Stuart Greenfeig, JoAnne Mazzetta, Barbara Reitz, and Lloyd Welter.

Chairman Pyle read from a prepared statement that addressed the ten points suggested by Councilmen Tyner for tonight's discussion. Mrs. Marcuccio then read a prepared statement dealing with the same ten points.

The work session was confined largely to the resolution of positions on the ten points.

1. The RHA Commissioners need to submit an Annual Report to the Mayor and Council.

The Council and the Commissions agree to the regular publishing of an annual report. The Mayor asked that the Human Rights Commission work with the Housing Authority to integrate their suggestions in the annual report as an addition to the State's requirements.

2. The RHA Commissioners should consider holding RHA meetings in City Hall.

The meetings can alternate between the meeting places with the City Manager providing transportation. The Commission was asked to look at a change of day due to the conflict of the Mayor and Council meetings, for six months, on an experimental basis.

3. A viable informal and formal grievance process must be initiated immediately by RHA management and commissioners.

The City Attorney and others will examine it for thirty days prior to its submission to HUD.

4. A clearly-written, absolutely explicit, handbook or guide needs to be made available to all RHA tenants.

The Mayor and Council instructed the City Manager to use City Staff to

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prepare the handbook, and the Human Rights Commission should assist in the preparation. Mr. Silverstein suggested that the handbook include all City services. The Mayor explained that the primary concern is the City housing project and a tenant's handbook, other things are incidental. He also asked that the Staff target January 1, 1983, for distribution.

5. A series of tenant seminars should be made available by RHA management using experts on various subjects.

The Council and Commissions agreed to this and that one seminar would be on the new handbook.

6. The tenants must form, and maintain, an active citizens association.

The word "must" appeared to be a problem since it was difficult to coerce people into forming an association if they did not wish to do so.

7. The Mayor and Council should consider providing staff expertise and/or earmarking funds for specific projects in RHA.

The Council agreed to pay for those services that the City Manager recommended.

8. The RHA management should make it clearly understood where the authority for its rules and regulations come from.

Council and Commissions agreed to this.

9. The RHA management should work closely with the city on exterior maintenance improvements.

More information is needed as to how much and when it could occur.

10. The Mayor and Council must consider the designation of an ombudsman panel to assist in RHA-tenant disputes.

The Council and Commissions agreed to wait on this.

Mayor and Council thanked everyone present this evening for the spirit of cooperation that existed and the effort to move forward since it is everybody's wish to have better housing for the people.

Re: Review and Referral
of Text Application,
T-54-82, W. Eisinger,
Applicant

Mayor Freeland said that this particular text amendment is well beyond the Mayor and Council's capability to answer at this time due to the lack of information. He said time and effort is necessary to bring forth an intelligent

well thought out recommendation on the Staff's part. However, he would like them to work on it soon.

On motion of Councilman Duncan, duly seconded, and passed, only Councilman Tyner voting nay, Text Amendment Application #T-54-82 was referred to the Planning Commission for further review.

Re: Review of Testimony
on State of Maryland's
Consolidate Trans-
portation Program

The Council suggested changes in the wording of the noting of the I-370 interconnect. Councilwoman Hovsepien asked when the developers of downtown said the Falls Road interchange was essential to development. The City Manager explained when Winmar/Nordal had made that point. Mayor Freeland asked that the Chairman of the Traffic and Transportation Commission be contacted about testifying at the hearing. The Mayor and Council approved the testimony.

Re: Request for Waiver
of On-Site Storm
Water Management -
Tracor, 1601 Research
Boulevard - National
Capital Research Park

The Tracor Property currently identified as Lots 4 and 5 in the National Capital Research Park, consists of approximately 14.18 acres of I-3 zoned land, located at 1601 Research Boulevard north of Route 28. On-site storm water management could be provided in an open basin, but this would require removal of a great number of trees that the developer is attempting to save.

The additional impervious area (0.26 acres) on the presently developed Lot 4 is computed at \$9,000 per acre and the gross area of Lot 5 (7.26 acres) is computed at \$5,200 per acre, resulting in an off-site contribution of \$40,092.

Since there are off-site compensating structures, the committee recommended that the Mayor and Council grant the waiver and accept a contribution to the public off-site storm water management program, subject to concurrence with the Montgomery Soil Conservation District.

At this point Councilman Abrams left the meeting.

On motion of Councilman Tyner, duly seconded, and passed by unanimous vote of all present, the waiver of on-site storm water management was approved

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and a contribution of \$40,092 accepted for off-site construction.

Re: Introduction of
Ordinance: To Levy
Assessments for Paving
and Drainage - #080412

On motion of Councilman Tyner there was introduced upon the table an ordinance levying assessments for paving and drainage of Seven Locks Road and Ritchie Parkway to Fortune Terrace.

Re: Adoption of Ordinance:
To Levy Assessments -
Beall Avenue Sidewalk

Ordinance No. 33-82

On motion of Councilman Tyner, duly seconded and passed by unanimous vote of all present, Ordinance No. 33-82, the full text of which can be found in Ordinance Book No. 11 of the Mayor and Council to levy assessments on Beall Avenue sidewalks, was adopted by the Mayor and Council.

Councilman Tyner asked if the figures had been done on whether or not the paperwork justified the assessment. The City Manager explained the bills had already been sent out and it was just a simple one time billing.

Re: Adoption of Ordinance:
To Correct Assessment
Levy - Water and Sewer
Mains and Laterals in
Rockville Estates

Ordinance No. 34-82

On motion of Councilman Duncan, duly seconded and passed by unanimous vote of all present, Ordinance No. 34-82, the full text of which can be found in Ordinance Book No. 11 of the Mayor and Council to correct assessment levy on the water and sewer mains and laterals in Rockville Estates, was adopted by the Mayor and Council.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. Rockville Senior Associates, re Retaining Second Bus

Councilman Duncan asked if the City planned to keep the bus. The City Manager said probably as a standby. Councilman Duncan asked that this be explained to the seniors.

2. HUD re Rockville Housing Authority Audit
3. Congressman Barnes, re Revenue Sharing

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4. Montgomery County Citizen's Bicycle Committee, re suggestions for Rockville

Re: Information Items

1. Senior Center Bulletin
2. School Board Survey Results
3. Memo re Rockville Seniors Inc.
4. Memo from Montgomery County re Refuse Mass Burner
5. Memo from Director of Recreation re Plantings
6. Copy of letter to City Manager re School Reuse
7. Adopted CIP
8. Montgomery County Cable Television Task Force Information
9. Bill 40-82, Municipal-County Relations

Re: New Business

1. Mayor Freeland said that he had talked to some people as a result of the hearing on the Dawson Farmhouse PRU and he knows that the neighbors are concerned with encroachment while Peerless Rockville is interested in preserving the project. It is his feeling that a meeting is needed between the two groups with facilitator. He has asked Mr. Robert Lanham to act as that facilitator. In order for this to be done the record needs to be extended to accommodate the meetings. The staff will report back after the meetings to include the results in the record.

On motion of Councilwoman Hovsepian, duly seconded and passed by unanimous vote of all present the record on the Dawson Farmhouse PRU was extended for two weeks until November 22, 1982.

Re: Adjournment

There being no further business to come before the Council in general session, the meeting was adjourned at 12:45 a.m. to convene again in work session on Thursday, November 4, 1982, at 7:00 p.m. or at the call of the Mayor.